

**HOFLAND & TOMSHECK**

Joshua Tomsheck, Esq.  
Nevada State Bar No. 9210  
JoshT@hoflandlaw.com  
228 South Fourth Street, 1<sup>st</sup> Floor  
Las Vegas, Nevada 89101  
Telephone: (702) 895-6760  
Facsimile: (702) 731-6910  
Attorney for Defendant

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,  
vs.

SESLEY WILLIAMS,  
Defendant

Case No.: 2:13-cr-0221-APG-CWH

STIPULATION AND ORDER TO  
CONTINUE SENTENCING DATE,  
(SECOND REQUEST)

IT IS HEREBY STIPULATED, by and between the UNITED STATES OF AMERICA, by and through Daniel Bogden, United States Attorney and Lisa Cartier-Giroux, Assistant United States Attorney, and defendant, SESLEY WILLIAMS, by and through his attorney, Joshua Tomsheck, Esq., of the law firm of Hofland & Tomsheck, that the sentencing date in the above-captioned matter now scheduled for September 10, 2015 be vacated and continued to a date and time convenient to the Court, no sooner than sixty (60) days beyond the current setting, in order for the Parties to have sufficient time to prepare for sentencing in this matter.

This is the SECOND request by the undersigned defense counsel for a continuance of the scheduled sentencing date, is made in good faith and not for the purpose of delay and comports with the good cause requirements of Fed. R. Crim.

P. 32(b)(2).

1. Counsel for the Defendant was appointed after the jury verdict in this matter, to represent defendant at sentencing.

2. As Counsel for Defendant was appointed post-trial, and was not a participant in the trial, a thorough review of the discovery and trial record is essential to prepare for sentencing.

3. Counsel will be out of the jurisdiction until the date currently scheduled for sentencing in this matter and will therefore be unable to adequately prepare for sentencing in this matter.

4. Denial of this request for continuance would deny the parties herein time and the opportunity to effectively and thoroughly prepare for the sentencing hearing, taking into account the exercise of due diligence.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice.

6. For all of the above-stated reasons, the ends of justice would best be served by a continuance of the sentencing date.

**DANIEL G. BOGDEN, ESQ**  
Assistant United States Attorney

**HOFLAND & TOMSHECK**

/S/ L. Cartier-Giroux  
**LISA CARTIER-GIROUX, ESQ.**  
Assistant United States Attorney

/S/ J. Tomsheck  
**JOSHUA TOMSHECK, ESQ**  
Counsel for Defendant

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v

SESLEY WILLIAMS,

Defendant

Case No.: 2:13-cr-0221-APG-CWH

FINDINGS OF FACT, CONCLUSIONS  
OF LAW, AND ORDER

Based upon the pending Stipulation of the parties, and good cause appearing therefore, the Court finds that:

The parties have stipulated to continue the sentencing hearing date as presently scheduled.

This Court, being convinced that adequate showing has been made that were this request for continuance to be denied, counsel would not have the necessary time to effectively prepare for the sentencing hearing, taking into account the exercise of due diligence, and a miscarriage of justice could result, based on the following:

1. Counsel for the Defendant was appointed after the jury verdict in this matter, to represent defendant at sentencing.

2. As Counsel for Defendant was appointed post-trial, and was not a participant in the trial, a thorough review of the discovery and trial record is essential to prepare for sentencing.

3. Counsel will be out of the jurisdiction until the date currently scheduled for sentencing in this matter and will therefore be unable to adequately prepare for sentencing in this matter.

4. Denial of this request for continuance would deny the parties herein

1 time and the opportunity to effectively and thoroughly prepare for the sentencing  
2 hearing, taking into account the exercise of due diligence.

3 5. Additionally, denial of this request for continuance could result in a  
4 miscarriage of justice.

5 6. For all of the above-stated reasons, the ends of justice would best be  
6 served by a continuance of the sentencing date.

**ORDER**

IT IS HEREBY **ORDERED**, that the sentencing hearing currently scheduled for September 10, 2015 be vacated and continued to December 8, 2015 at the hour of 9:30 a.m. in Courtroom 6C.

ENTERED this 4th day of September, 2015.



United States District Court Judge